

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

NORTHERN Division

RECEIVED

THOMAS OTTER ADAMS.

PRO SE, # 100612-B

Full name and prison number
of plaintiff(s)

v.

WARDEN, EUGENOLYN MOSLEY

SEC. COMM., LEWIS MCLETT

COI JOEL YEW

COI DARON FAYSON

COI ANGELO BROWN, ET AL.

Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

2006 SEP 28 A 9:30

CIVIL ACTION NO. 2:06CV873 ID
(To be supplied by Clerk of
U.S. District Court)

DEMAND FOR JURY TRIAL

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES (☒) NO (☐)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES (☐) NO (☒)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) THOMAS OTTER ADAMS, - 100612

PRO SE,

Defendant(s) WARDEN EUGENOLYN MOSLEY,

ET AL.

2. Court (if federal court, name the district; if state court, name the county) U.S. DISTRICT

COURT- MIDDLE DISTRICT / NORTHERN DIVISION
ALABAMA

3. Docket number 2:05-CV-0352-MHT
4. Name of judge to whom case was assigned CHIEF U.S. MAGISTRATE JUDGE, CHARLES S. COODY
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) REMAINS PENDING
6. Approximate date of filing lawsuit 2-2005
7. Approximate date of disposition N/A

II. PLACE OF PRESENT CONFINEMENT EASTERLING CORR.
FACILITY - CLIO, ALA. 36017

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED EASTERLING,
~~STONY~~ CORRECTIONAL FACILITY

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

- | NAME | ADDRESS |
|-----------------------------|---------------------------------------|
| 1. <u>QUINDO LYN MOSLEY</u> | <u>200 WALLACE DR. - CLIO - 36017</u> |
| 2. <u>LEWIS NOLET</u> | <u>200 WALLACE DR. - CLIO, 36017</u> |
| 3. <u>DEL TOW</u> | <u>200 WALLACE DR. - CLIO - 36017</u> |
| 4. <u>DARON FAYSON</u> | <u>200 WALLACE DR. - CLIO, 36017</u> |
| 5. <u>ANGELA BROWN</u> | <u>200 WALLACE DR. - CLIO, 36017</u> |
| 6. <u>ET. AL.</u> | <u>TO BE NAMED AS IS DISCOVERED</u> |

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED AUGUST 10, 2006 - SEGREGATION UNIT LOBBY

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE. EXCESSIVE FORCE, CIVIL RIGHTS AMENDMENT VIOLATIONS - (GRANDS) - ON 8-10-2006 IN THE

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

SEGREGATION LOBBY, I WAS WAITING TO BE TAKEN
TO THE NORTH CARE UNIT, I HAD BEEN COMPLAINING
OF CHEST PAINS IN CELL 5B-16, I WAS
HAND CUFFED, BEHIND MY BACK, AND TAKEN
FROM THE CELL BY CO1 FAYSON, WHO WAS
~~ON THE FLOOR,~~ AT HIS INSTRUCTIONS)
ORDERS A WHEEL CHAIR WAS BEING BROUGHT
FROM THE NORTH CARE UNIT.

SUPPORTING FACTS:

② CO1 TEW BROUGHT A WHEELCHAIR IN, BEGAN
 TO BERATE THIS INMATE, AND SAID, "GET WHERE
 (H.C.U.) THE BEST WAY YOU CAN, ADAMS."
 AT THIS I BECAME SCARED, FRIGHTENED, AND
 DEPRESSIVE, I STOOD UP TO WALK FROM THE

SEGREGATION UNIT TO THE H.C.U.,
AND WAS SEIZED, GRASPED AND APPREHENDED
by CO1 TEW, PICKED-UP, AND
WHEN BODY-SCRAMMED TO THE FLOOR OF THE
LOBBY, ON MY BACK, HAND-CUFFED BEHIND
MY BACK, THE BREAST WAS KNOCKED OUT OF
ME, I WAS THEN PICKED-UP BY OFFICERS
TEW, FAYSON & BROWN, ASSISTED WHEN BY
SEC. COMMANDER SET. LEWIS NOLET.

③ I WAS SEMI-CONSCIOUS AND FLUXE
 AND BE HURLED INTO THE WHEEL CHAIR!

④ I HAD JUST TAKEN 4-5 NITRO-GLYCERIN
 TABLETS.

⑤ I WAS THEN TAKEN TO THE H.C.U., WHILE
 INTIMIDATED AND THREATENED BY BOTH OF
 THE OFFICERS, CO1 TEW & SET. ~~FAYSON~~
 NOLET

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

PUNITIVE DAMAGES, DECLARATORY JUDGMENT, *
TEMPORARY INJUNCTION, RESTRAINING ORDER -
A JURY TRIAL, F.R.CIV.P. #7, AND ANSWER, 7(A)

Thomas Adams-

Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true
and correct.

EXECUTED on SEP. 11, 2006
(Date)

Thomas Adams- 100612

Signature of plaintiff(s)

SB-12 - SEC. UNIT
200 WALLACE DRIVE
CLID. ALA. 36017

Grounds continued

⑥ I was treated, examined by the H.C.U. staff, who reported, "nothing wrong", Col. Taw and Sgt. Nixett remained in the examination room the entire time,

⑦ I was forced by order to, "walk back" to the segregation unit, placed back in my cell.

⑧ I then requested a body-chart because my wrists were hurting and my R. wrist was very swollen, abrasion, and bleeding.

⑨ the handcuffs I'd had on were not in the "lock position", contrary to S.O.P. policy.

⑩ I was then refused a body-chart by Sgt. Nixett, only after the 2nd shift came on, was my request recognized.

⑪ I was then taken to H.C.U. about 4:00-5:00, charts made, examined, and treated, scheduled for an immediate X-RAY's, (Aug. 11, 2006.)

⑫ my X-RAY's were taken the next day, Low-back, R. side ribs, R. wrist.

⑬ I was then prescribed a wrist splint for 2 weeks, Flexoril &

Spreads continued

MYSELF FOR 2 WEEKS.

(14) I CONTINUE TO HAVE BACK PAIN, ALTHOUGH I'M TOLD IT'S JUST "ARTHRITIS",

(15) MY R. WRIST HAS NUMBNESS WHICH EXTENDS TO MY FINGERS.

(16) I CONTINUE TO BE HARASSED, REPEATED AND INTIMIDATED AGAINST.

(17) I MAINTAIN THAT DURING THIS EVENT OF "EXCESSIVE-FORCE", SER. COMMANDER SER. LEWIS HOLTZ WAS PRESENT AT ALL TIMES, FAILING TO SUPERVISE!

(18) I MAINTAIN THAT COL FAYSON AND COL BROWN WERE ALSO PRESENT DURING THIS EVENT IN THE 5 DORM-LOBBY.

(19) EACH OFFICER IS WELL AWARE THAT I AM THE "SAIL HOUSE LAWYER" IN THE LITIGATION.

RICKY DAVIS - 173073

V.

2:06-CV-010-MHT?

SER. R. BRYANT

WHICH IS BEFORE U.S. MAGISTRATE JUDGE, DELORES BOYD, AN EXCESSIVE FORCE CLAIM. AN INVESTIGATION BY A.D.O.C.'S, I & I DIVISION IS ONGOING, CONTINUES (2)

CERTIFICATE OF SERVICE

I hereby certify, by signature that
I have mailed a copy of the, 42 USC § 1983,
to the Attorney of Record, by the U.S. Mail,
properly addressed and postage pre-paid.

AS; MS. Kim Thomas, Attorney

LEGAL DIVISION, ADOC

P.O. Box 301501

MONTGOMERY, ALA - 36130-1501

This 42 USC. § 1983 is filed pursuant
to 28 U.S.C. § 1746(c), under the Penalty
of Perjury.

Done this

Day of September, 2006.

Respectfully Submitted,

Thomas Adams - 100612-B

THOMAS ADAMS - 100612

SB-12 SEGREGATION UNIT

200 WALLACE DRIVE

CCID, ALA. 36017

Notary Public.

My commission expires;